

Message Text

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ORIGIN NEA-16

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DRAFTED BY NEA/INS:RBMORLEY:MMK

APPROVED BY NEA/INS:DKUX

L/NEA - MR. NELSON

EB/CBA - MR. NESVIG

EB/GCP - MR. MORRISON

NEA/SP - MR. MATTES

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FM SECSTATE WASHDC

TO AMEMBASSY NEW DELHI

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E.O. 11652: N/A

TAGS: PFOR, IN

SUBJECT: ECONOMIC/TRADE SUB-COMMISSION

REF: NEW DELHI 12244

1. DEPARTMENT CONSIDERING VARIETY OF ALTERNATIVES FOR PRIVATE SECTOR ROLE IN SUBJECT SUB-COMMISSION AS INDICATED IN STATE 200978. HOWEVER, U.S. LAW (FEDERAL ADVISORY COMMITTEE ACT, PUBLIC LAW 92-463) PRECLUDES PARTICIPATION BY LIMITED NUMBER OF SELECT PRIVATE SECTOR REPRESENTATIVES IN ADVISORY BODY OF THIS NATURE. OTHER INDIAN SUB-COMMISSIONS (EDUCATIONAL AND CULTURAL, SCIENCE AND TECHNOLOGY) ARE SIMILARLY AFFECTED AND WILL BE THE SUBJECT OF SEPTELS.

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2. WE COULD GET AROUND THIS PROBLEM BY ALLOWING PRIVATE

SECTOR REPRESENTATION TO BE OPEN-ENDED. IN THIS CASE, DATES OF SUB-COMMISSION MEETINGS AND INVITATION FOR PUBLIC PARTICIPATION WOULD HAVE TO BE PUBLISHED WELL IN ADVANCE IN FEDERAL REGISTER. RECORD OF MEETINGS WOULD BE IN PUBLIC REALM. THUS PUBLIC PARTICIPATION COULD BE SO LARGE AS TO MAKE SIZE OF GROUP TOO LARGE TO CONDUCT BUSINESS EFFECTIVELY. IN ADDITION, WE COULD NOT PRECLUDE PARTICIPATION BY GROUPS HOSTILE TO DEVELOPMENT OF BETTER ECONOMIC RELATIONS WITH INDIA. MEETINGS COULD CONCEIVABLY BE DISRUPTED BY SUCH PEOPLE.

3. ALTERNATIVE WOULD BE SEPARATE BUT PARALLEL BODY INCLUDING LIMITED US PRIVATE SECTOR REPRESENTATION, NO USG PARTICIPATION (EVEN AS "OBSERVERS"), BUT INCLUDING GOI AND, AT THEIR OPTION, INDIAN PRIVATE SECTOR. OR, SINCE SUB-COMMISSION WOULD HAVE POWER CREATE SPECIAL WORKING GROUPS TO STUDY INDIVIDUAL PROBLEMS (SEE PARA 2D OF STATE 200978), PRIVATE SECTOR COULD BE REPRESENTED ON SUCH AD HOC STUDY GROUPS.

4. WOULD APPRECIATE EMBASSY'S EXPLANATION WHY DOUBLE TAXATION TREATY SHOULD NOT BE RAISED WITH INDIANS AND WOULD NOT BE IN OUR INTEREST. WHILE EFFORTS IN PAST TO CONCLUDE SUCH A TREATY WERE UNSUCCESSFUL, WE BELIEVE IT MAY BE USEFUL REVIVE THIS MATTER IN CONTEXT SUB-COMMISSIONS.

KISSINGER

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